

The 25th March, 1982

No. 9(1)82-8Lab/216.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Chanda Enterprises, Mujessar, Faridabad.

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 148 of 1981

*between*

SHRI BIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S. CHANDA ENTERPRISES, MUJESSAR, FARIDABAD

*Present :*

Shri Nagesh Singh, for the workman.

Shri K. P. Agrawal, for the management.

#### AWARD

By order No. ID/FD/37/81/24230, dated 14th May, 1981, the Governor of Haryana referred the following dispute between the management of M/s. Chanda Enterprises, Mujessar, Faridabad and its workman Shri Bir Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Bir Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed and the case was fixed for the evidence of the management. But on 7th January, 1982 the representative for the management filed a settlement Ex. M-1 and full and final receipt Ex. M-2. According to the settlement the workman agreed to receive a sum of Rs 536.45 in full and final settlement of his claim. The representative for the workman also agreed to it. In view of the settlement Ex. M-1 and statements given by the parties, I give my award that the dispute had been settled between the parties.

M. C. BHARDWAJ,

Dated the 24th February, 1982.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 208, dated the 25th February, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 9 (1)82-8Lab/2164.—In pursuance of the provisions of section 17 of Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Acme Process Heat Furnaces 14/5, Mathura Road, Faridabad.

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA FARIDABAD.

Reference No. 330 of 1981.

*between*

THE WORKMEN AND THE MANAGEMENT OF M/S ACME PROCESS HEAT FURNACES, 14/5, MATHURA ROAD, FARIDABAD

*Present :*

None for the workmen.

Shri G. T. Panjabi for the management.

## AWARD

By order No. ID/FD/164/81/50141, dated 1st October, 1981, the Governor of Haryana referred the following dispute between the management of M/s Acme Process Heat Furnaces, 14/5, Mathura Road, Faridabad, and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the workmen are entitled to the grant of bonus for the year 1979-80 ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings and the case was fixed for framing of issues. But on the last three dates neither the workmen appeared, nor his representative. At last on 11th January, 1982 the case was ordered to be dismissed for non-prosecution by the workmen. I, therefore, dismiss the case for non-prosecution by the workmen.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

Dated the 24th February, 1982.

No. 206, dated 25th February, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

The 8th April, 1982

No. 9(1)82-8Lab/2745.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s. Hem Raj Contractor, 71 Model Town, Yamuna Nagar.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD

References Nos. 138, 129, 128 and 130 of 1980 (Fbd 358, 359, 360 and 361/1981)

between

SARVSHRI GOVERDAN, HIRA LAL, RAM BRICH AND JAGDISH LAL WORKMEN  
AND THE RESPONDENT MANAGEMENT OF M/S. HEM RAJ CONTRACTOR,  
71, MODEL TOWN, YAMUNA NAGAR

Shri Balbir Singh for the workman.

None for the respondent management.

## AWARD

These references Nos. 138, 129, 128 and 130 of 1980 have been referred to the Labour Court, Rohtak, by the Hon'ble, Governor of Haryana,—vide his orders Nos. ID/YMN/91-80/30693, 30699, 30887 and 30705, dated 20th June, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the disputes existing between Sarvshri Goverdan, Hira Lal, Ram Brich and Jagdish Lal, workmen and the respondent management of M/s Hem Raj Contractor, 71, Model Town, Yamuna Nagar. The terms of the references were :—

Whether the termination of services of Sarvshri Goverdan, Hira Lal, Ram Brich and Jagdish Lal were justified and in order ? If not, to what relief are they entitled ?

After receiving these references, notices were sent to the parties by the Labour Court, Rohtak. The Registered A. D. notices which were sent to the respondent management received back with the postal authorities remarks that the addresses are not complete. The Court made the order on the request of the

workmen to publish the notices of the respondent management in the 'Dainik Tribune', Chandigarh and the case was fixed for 24th July, 1981. And the notice was sent to the Dainik Tribune for asking the cost of this publication, which was received in the Court with their letter No. 43054, dated 9th October, 1981. But the workmen failed to submit the amount for this publication upto 23rd October, 1981. It was again order on 23rd October, 1981, that the workmen will deposit the amount of Rs. 85/- within 15 days, failing which no other opportunity shall be given. The workmen failed to deposit even upto 4th December, 1981. Then the Haryana Government transferred these cases to this Court,—vide order No. 1(79)-80-1 Lab., dated 20th October, 1981. And these cases were received in this Court in December, 1981 in references Nos. Fbd-358, 359, 360 and 361 of 1981.

After receiving these cases file, notices were sent to the parties. I also gave the time to the workmen on 11th January, 1982, for this purpose. But on 11th February, 1982 the representative of the workmen made a statement in this Court that he does not know the addresses of the respondent management. In these circumstances, no action can be taken on these references. So I hold that these references are bad in law and the abovesaid cases are dismissed in default of the parties. No orders as to costs. I give my award accordingly.

Dated the 2nd March, 1982.

HARI SINGH KAUSHIK,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endorsement No. 629, dated the 11th March, 1982

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the abovesaid award may please be acknowledged within week's time.

HARI SINGH KAUSHIK,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 9(1)82-8Lab./3024.— In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s the Haryana Cooperative Supply and Marketing Federation Ltd., Chandigarh.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 194 of 1980 (Fbd. 370/1981)

between

SHRI VINEY KUMAR CLERK WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S. THE HARYANA STATE COOPERATIVE SUPPLY AND MARKETING FEDERATION LTD., CHANDIGARH

Shri Viney Kumar, workman in person.

Shri Chaman Lal for the respondent management.

#### AWARD

This reference No. 194 of 1980 has been referred to the Labour Court, Rohtak by the Hon'ble Governor of Haryana,—vide his order No. ID/KNL/2-79/49769, dated 17th September, 1980 under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Viney Kumar Workman and the respondent management of M/s The Haryana State Cooperative Supply and Marketing Federation Ltd., Chandigarh. The term of the reference was,—

Whether the termination of service of Shri Viney Kumar was justified and in order? If not, to what relief is he entitled?

After receiving this reference, notices were sent to the parties by the Labour Court, Rohtak. The parties appeared and the case was fixed for 9th October, 1981. After that the Haryana Government transferred this case to this Court,—vide order No. 1 (79)-80-1 Lab., dated 20th October, 1981. And this case was received in this Court in December, 1981 in reference No. Fbd. 370/1981.

After receiving this case file, notices were sent to the parties for 9th February, 1982 at Ambala Cantt for written statement. On 9th February, 1982 the workman made a statement in this Court that he was appointed by the respondent management in May, 1976 on daily wages and in the month of October, 1977 they transferred him to Gharonda. The workman joined his services and send a telegram for leave, which was not replied by the management and terminated his services on 30th March, 1978 without assigning any reason. He further stated that he raised his demand before the Conciliation Officer which was referred to the Labour Courts. After this reference, the respondent management took him on duty in the month of October, 1980. He further stated that he worked upto December, 1981 and resigned from service, as the management was not paying his back wages nor the management made him regular. He further stated that he wants his back wages and does not want his reinstatement. He further stated that he did not want his reinstatement and withdraw his case.

This statement of the workman was also agreed by Shri Chaman Lal, Inspector of the respondent management as correct.

In view of the statement of the parties. I hold that there is no dispute between the parties as the workman has resigned his job of his own accord and do not want to serve with the respondent. The workman only want his back wages for the intervention period. In this reference I cannot Compute the wages. So he can claim his back wages to concerned authority. No orders as to costs.

This be read in answer to this reference.

Dated the 5th March, 1982.

HARI SINGH KAUSHIK,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endst. No. 665, dated the 19th March, 1982

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

HARI SINGH, KAUSHIK,

Presiding Officer.  
Labour Court, Haryana,  
Faridabad.

No. 9(1)82-8Lab./3028—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of Haryana State Electricity Board, Chandigarh, (i) Chief Engineer, Haryana State Electricity Board, Chandigarh.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER,  
LABOUR COURT, HARYANA, FARIDABAD

Reference No. 143 of 1980 (Fbd 362/1981)

between

SHRI TILAK RAJ AGGARWAL, WORKMAN AND THE RESPONDENT-MANAGEMENT OF  
(i) CHAIRMAN, HARYANA STATE ELECTRICITY BOARD, CHANDIGARH,  
(ii) CHIEF ENGINEER, HARYANA STATE ELECTRICITY BOARD,  
CHANDIGARH

Workman in person with Shri Surinder Kumar.

Shri S. S. Sarohi for the respondent management.

**AWARD**

This reference No. 143 of 1980 has been referred to the Labour Court, Rohtak by the Hon'ble Governor of Haryana,—*vide* his order No. ID/YMN/9/34709, dated 26th June, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri Tilak Raj Aggarwal, workman and the respondent-management of (i) Chairman, Haryana State Electricity Board, Chandigarh, (ii) Chief Engineer, Haryana State Electricity Board, Chandigarh. The term of the reference was :—

Whether the termination of service of Shri Tilak Raj Aggarwal was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference, notices were sent to the parties by the Labour Court, Rohtak. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 26th August, 1981. Then the case was fixed for the evidence of the respondent-management for 21-10-81. After that the Haryana Government transferred this case to this Court,—*vide* order No. I(79)-80-1 Lab., dated 20-10-81. And this case was received in this Court in December, 1981 in reference No. Fbd-362 of 1981.

After receiving this case file, notices were sent to the parties. On 8-3-82 the case was fixed for the evidence of the respondent-management at Ambala Cantt, the representative of the respondent-management made a statement in this Court that the respondent was ready to take the workman on duty with continuity of service and the period of his absence from duty would be treated on leave of the kind due. He further stated that the workman would be taken on duty on previous terms and conditions of his service. He also stated that the workman would resume his duty within one month. This statement was duly admitted by the workman.

In the light of the above statement of the parties, I hold that there is no dispute between the parties on the issue so referred to this Court for adjudication. I give my award accordingly. No orders as to costs.

**HARI SINGH KAUSHIK,**

Dated the 11th March, 1982.

Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endorsement No. 669, dated the 19th March, 1982.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within a week's time.

**HARI SINGH KAUSHIK,**

Presiding Officer,  
Labour Court, Haryana, Faridabad.

No. 9(1)82-8Lab./3029.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s New India Dying and Finishing Mills, 14/5, Mathura Road, Faridabad :—

**IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER,  
LABOUR COURT, HARYANA, FARIDABAD**

**Reference No. 206 of 1981**

*between*

**SHRI THAVIRIA, WORKMAN AND THE MANAGEMENT OF M/S NEW INDIA  
DYING AND FINISHING MILLS, 14/5, MATHURA ROAD,  
FARIDABAD**

Shri Darshan Singh, for the workman.

Shri G. S. Chaudhry, for the management.

## AWARD

This reference No. 206 of 1981 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/117/81/33537, dated 13th July, 1981, under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Thaviria workman and the management of M/s New India Dying and Finishing Mills, 14/5, Mathura Road, Faridabad. The term of the reference was :—

Whether the termination of service of Shri Thaviria was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference, notices were sent to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 24-9-81. On 2-3-82 the representative of the management made a statement in this Court that the workman had settled his case with the management mutually and also received a sum of Rs. 720 in full and final settlement of his claims or dispute including the right of re-instatement or re-employment. He also filed the copies of settlement and receipt of the voucher, which are Ex. M-1 and M-2. He further stated that there is no dispute between the parties. This statement was duly admitted by the representative of the workman.

In view of the above statement of the parties, I hold that the workman had settled his case with the management mutually according to the settlement Ex. M-1 and also received a sum of Rs. 720 in full and final settlement. So there is no dispute between the parties on the issue so referred to this Court for adjudication. I give my award accordingly. No order as to costs.

Dated the 11th March, 1982.

HARI SINGH KAUSHIK,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endst. No. 670, dated 19th March, 1982.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within a week's time.

HARI SINGH KAUSHIK,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

No. 9 (1)82-Lab/3040.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s S. J. Knitting & Finishing Mills Pvt. Ltd., 13/7, Mathura Road, Faridabad :—

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD.

Reference No. 12 of 1982.

*between*

SHRI SHIV PUJAN, WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S S. J. KNITTING & FINISHING MILLS PVT LTD., 13/7, MATHURA ROAD, FARIDABAD.

*Present:—*

Shri M. K. Bhandari, for the workman.

Shri B. R. Grover, for the respondent management.

## AWARD

This reference No. 12 of 1982 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/230/81/622, dated 5th January, 1982, under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Shiv Pujan, workman and the respondent management of M/s. S. J. Knitting & Finishing Mills Pvt. Ltd., 13/7, Mathura Road, Faridabad. The terms of the reference was.—

Whether the termination of service of Shri Shiv Pujan was justified and in order? If not, to what relief is he entitled?

After receiving the order of reference notices were issued to the parties for 18th March, 1982 on which date both the parties appeared. On that date the claim statement was not ready and the representative of the workman prayed a date for filing the claim statement and the case was adjourned to 18th March, 1982. On that date of hearing the representative of the respondent management made a statement before this court that the workman mutually settled his dispute with the respondent management. The photocopy of settlement is Ex. M-1, according to which the workman received Rs. 972.25F in full and final settlement of his accounts. The photostat copy of full and final accounts is Ex. M-2. He further stated that now the workman has no claim against the respondent management including his right of reinstatement and reemployment. This statement of the representative of the respondent management was also agreed by the representative of the workman and prayed that award be sent accordingly.

In view of the statement of both the parties, I hold that the workman has settled his dispute with the management and received his full and final, so there is no dispute between the parties. This be read in answer to this reference.

Dated the 18th March, 1982

HARI SINGH KAUSHIK.

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endst. No. 681, dated the 19th March, 1982

Forwarded (four copies) to the Commissioner & Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

HARI SINGH KAUSHIK,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 9(1) 82-8Lab/3041.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Haryana State Cooperative Development Federation Ltd., Chandigarh:—

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD.

Reference No. 371/81 and 208 of 1980

*between*

SHRI PRITAM SINGH, WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S HARYANA STATE COOPERATIVE DEVELOPMENT FEDERATION LTD., CHANDIGARH

*Present—*

Workman in person.

None for the respondent management.

#### AWARD

This reference No. 371 of 1981 has been referred to the Labour Court, Haryana, Rohtak by the Hon'ble Governor of Haryana,—*vide* his order No. ID/HSR/41-80/50719, dated 23rd September, 1980, under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Pritam Singh, workman and the management of M/s Haryana State Co-operative Development Federation Ltd., Chandigarh. The term of the reference was:—

Whether the termination of services of Shri Pritam Singh was justified and in order? If not, to what relief is he entitled?

After receiving this reference notices were sent to the parties by the Labour Court, Rohtak. Both the parties appeared and filed their pleadings. But when the case was fixed for framing the issues for 27th October, 1980, the management disappeared and the Labour Court, Rohtak proceeded *ex parte* against the respondent and the case was fixed for *ex parte* evidence of the workman for 25th January, 1982. After that the Haryana Government transferred this case to this Court,—*vide* order No. 1(79)-80-1Lab., dated 20th October, 1981 and this Court registered this reference as Reference No. Fbd 371 of 1981.

After receiving this case file, notice was sent to the workman for 9th February, 1982. The workman appeared on 9th February, 1982 and *ex parte* evidence of the workman was recorded.

The workman appeared as WW-1 who stated that he was working with the respondent management as Coop. Instructor, on 24th December, 1975, the workman fell ill and sent a medical certificate of MBBS doctor with the application, for leave which was sanctioned by the respondent management. The copy of the application is Ex. M-1. He further stated that he sent another leave application for one month leave with medical certificate, but the management has asked him to submit a medical certificate of M.O. According to the instruction of the respondent, he approached the C.M.O., Hissar, but without docket. The C.M.O. refused him to give the certificate, and he asked the management to issue the docket, but they did not issue the docket and suspended him on 27th April, 1976. The photo copy of the chargesheet is Ex. W-2. He further stated that in the enquiry he produced the doctor who has stated that the workman was actually ill and the enquiry officer submitted his report in favour of the workman. The enquiry report is Ex. W-3. He further stated that the respondent management had terminated his services without any reason and prayed that he be reinstated with full back wages and continuity of service.

After hearing the *ex parte* arguments I am of the view that as stated by the workman, the order of termination of the workman is un-justified and the claimant is entitled for his reinstatement with continuity of service, but without back wages as he was terminated on 14th January, 1977 and he raised the demand notice on 1st May, 1980 after more than two years and gave no explanation for its late submission which is fault of the claimant. So he is not entitled for any back wages for his own fault. The workman is only entitled for his reinstatement with continuity of service. This be read in answer to this reference.

Dated the 18th March, 1982

HARI SINGH KAUSHIK,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endst. No. 682, dated 19th March, 1982

Forwarded (four copies) to the Commissioner & Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

HARI SINGH KAUSHIK,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

The 19th April, 1982

No. 9(1) 82-8Lab./3056.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Archana Metals Pvt. Ltd., Modren Industrial Estate, Bahadurgarh (Rohtak) :—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 257 of 1981

between

WORKMEN AND THE MANAGEMENT OF M/S. ARCHANA METALS PRIVATE  
LTD., MODREN INDUSTRIAL ESTATE, BAHADURGARH (ROHTAK)

Present—

None for the workman.

Shri M. M. Kaushal, for the management.

AWARD

By order of the reference No. ID/Spt/66-81/37515, dated 13th August, 1981, the Governor of Haryana referred the following dispute between the management of M/s. Archana Metals Private Limited,



Modern Industrial Estate, Bahadurgarh (Rohtak) and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947: —

- (1) Whether the unskilled, semi-skilled and skilled workmen should be given annual increments? If so, with what details?
- (2) Whether the workmen should be supplied with two seasonal uniforms along with two pair of shoes? If so, with what details?

On the receipt of order of reference, notices were issued to the parties. Who appeared. The workmen filed claims statements. The case was fixed for the written statements of the management. But on the date fixed none was present for the workmen who were proceeded *ex-parte*. The management filed written statement and the case was fixed for *ex-parte* evidence. The management produced Shri Subhash Chander, Accountant, who deposed that the management incurred a loss of Rs 11,51,522.33 in year 1980-81 according to duly audited balance-sheet. The management had been paying revised minimum wages whenever there was a revision by the Government. There was no production at the time and the factory was under sale.

In view of absence of the workmen from these proceedings and *ex-parte* evidence of the management, I give my award that there was no dispute between the parties.

M. C. BHARDWAJ,

Dated 16th March, 1982.

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

End. No. 293, dated the 17th March, 1982

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

No. 9(1)82-8 Lab/3057.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Hindustan Kokoku Wire Limited, Mathura Road, Faridabad: —

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL  
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 136 of 1981

between

SHRI SUNDER SINGH, WORKMAN AND THE MANAGEMENT OF M/S HINDUSTAN  
KOKOKU WIRE LTD., MATHURA ROAD, FARIDABAD

Present:

Shri Sunder Singh, workman.

Shri K. P. Aggarwal, for the management.

#### AWARD

By order of the reference No.ID/F/D/151-80/23572, dated the 8th May, 1981, the Governor of Haryana referred the following dispute between the management of M/s. Hindustan Kokoku Wire, Limited, Mathura Road, Faridabad and its workman Shri Sunder Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947: —

Whether the termination of services of Shri Sunder Singh was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference, notices were issued to the parties, who appeared and filed their pleadings. On the pleadings of the parties the issues were framed on 27th August, 1981. And the case was fixed for the evidence of the management. Later on a settlement was filed by the management and issues on the view of the settlement were framed on 26th November, 1981. Evidence of the management was recorded. Finally the parties settled their dispute,—*vide* settlement and made statements that the workman was reinstated with continuity of services without back wages. There was no dispute now.

In view of the statements and settlement, I give my award that there was no dispute for adjudication now.

M. C. BHARDWAJ,

Dated the 16th March, 1982.

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

Endst. No. 294, dated the 17th March, 1982.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

No. 9(1)-82-Lab./3058.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Hindustan Kokoku Wire Limited, Mathura Road, Faridabad :—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 141 of 1981

*between*

SHRI HARISH CHAND, WORKMAN AND THE MANAGEMENT OF M/S HINDUSTAN  
KOKOKU WIRE LIMITED, MATHURA ROAD, FARIDABAD

*Present.—*

Shri Harish Chand, workman.

Shri K. P. Aggarwal, for the management.

#### AWARD

By order of the reference No. ID/FD/151-80/23602, dated 8th May, 1981, the Governor of Haryana referred the following dispute between the management of M/s. Hindustan Kokoku Wire Limited, Mathura Road, Faridabad and its workman Shri Harish Chand, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of I. D. Act, 1947 :—

Whether the termination of services of Shri Harish Chand was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference, notices were issued to the parties, who appeared and filed their pleadings. On the pleadings of the parties the following issues were on 27th August, 1981. And the case was fixed for the evidence of the management. Later on a settlement was filed by the management and issues on the view of the settlement were framed on 26th November, 1981. Evidence of the management was recorded. Finally the parties settled their dispute,—*vide* settlement and made statements that the workman was reinstated with continuity of service without back wages. There was no dispute now.

In view of the statements and settlement, I give my award that there was no dispute for adjudication now.

M. C. BHARDWAJ,

Dated the 16th March, 1982.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endorsement No. 295, dated 17th March, 1982

Forwarded (four copies) to the Secretary to Government, of Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 9(1)-82-8Lab./3059.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Hindustan Kokoku Wire Limited, Mathura Road, Faridabad :—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL  
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 138 of 1981

*between*

SHRI VISHWANATH MISHRA, WORKMAN AND THE MANAGEMENT OF M/S HINDUSTAN  
KOKOKU WIRE LTD., MATHURA ROAD, FARIDABAD

*Present :—*

Workman in person.

Shri K. P. Aggarwal, for the management.

#### AWARD

By order of reference No. ID/FD/151-80/23584, dated 8th May, 1981, the Governor of Haryana referred the following dispute between the management of M/s Hindustan Kokoku Wire Limited, Faridabad and its workman Shri Vishwanath Mishra, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Vishwanath Mishra was justified and in order ?  
If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties, who appeared and filed their pleadings. On the pleadings of the parties, following issue was framed on 27th August, 1981 :—

1. Whether the reference is premature and incompetent ?

And the case was fixed for the evidence of the management. Later on a settlement was filed by the management and issues on the vires of the settlement were framed on 26th November, 1981. Evidence of the management was recorded. Finally the parties settled their dispute,—*vide* settlement and made statements that the workman was reinstated with continuity of service but without back wages. There was no dispute now.

In view of the statements and settlement, I give my award that there was no dispute for adjudication now.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Dated the 16th March, 1982.

No. 296, dated the 17th March, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.